

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

CONFEDERATED TRIBES AND BANDS OF THE YAKAMA NATION,

No. CV-11-3067-LRS

ORDER OF DISMISSAL

Plaintiff,

V.

JS & SW, INC., a Washington corporation,

Defendant.

An in-court hearing was conducted on July 20, 2011. Thomas A. Zeilman, Esq., appeared for Plaintiff. There was no appearance for the Defendant.

Plaintiff orally moved the court to dismiss the action as moot and the court granted the same. Pursuant to Fed. R. Civ. P. 41(a)(2), the captioned matter is **DISMISSED without prejudice** and without an award of fees and costs. The file shall be closed.

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ORDER OF DISMISSAL-

IT IS SO ORDERED. The District Court Executive is directed to enter this order and provide a copy of it to counsel for Plaintiff. **Plaintiff's counsel shall serve a copy of this Order on the Defendant via the same means it served the Complaint and the motion papers upon Defendant. Plaintiff's counsel shall also mail a copy of this order to counsel for the U.S. Army Corps of Engineers.**

DATED this 20th day of July, 2011.

s/Lonny R. Sukko
LONNY R. SUKO
United States District Judge